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NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF APPEALS
(Case No. 99-499)

1/31
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In re Application of:

Chou et al.

Serial No.: 08/903,944

Filed: July 31, 1997

For: Transgenic Poinsettia

Art Unit: 1638

Examiner: David T. Fox

02/28/2002 MGBREM1 00000134 08903944

02 FC:119

320.00 OP

NOTICE OF APPEAL

Box AF
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants hereby appeal to the Board of Appeals the rejection of all claims rejected in the Final Office Action dated August 8, 2001.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on _ for ____ month(s).
2. ☒ A petition to extend time to respond to the final rejection, with the appropriate fee, accompanies this notice.
 - a. ☐ the fee is calculated from the date of mailing of an advisory action, because an amendment after the final rejection was filed within two months of the final rejection, which set a three month shortened statutory period for response, and the advisory action was mailed more than three months after the final rejection.
 - b. ☒ the fee is calculated from the end of the period set for response.
3. ☒ Appeal Fee \$320.00 (Large Entity)
☒ Enclosed

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, Washington D.C. 20231, on January 28, 2002.

Date: January 28, 2002

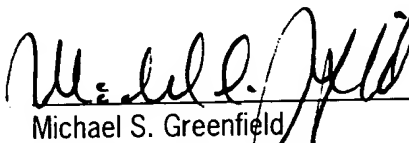

Michael S. Greenfield

- ☐ Not required (Fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 13-2490
(One additional copy of this Notice enclosed herewith.)

4. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 13-2490. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 28, 2002



Michael S. Greenfield
Registration No.: 97,142

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